

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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David Deutsch,

Plaintiff,

Civil Action No.: \_\_\_\_\_

v.

I. C. Systems, Inc.,

**COMPLAINT AND  
DEMAND FOR TRIAL BY JURY**

Defendant(s).

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Plaintiff David Deutsch (“Plaintiff” or “Deutsch”), by and through its attorneys, FREDRICK SCHULMAN & ASSOCIATES, Attorneys at Law, as and for its Complaint against the Defendant I. C. Systems, Inc. (“Defendant” or “IC SYSTEMS”), respectfully sets forth, complains and alleges, upon information and belief, the following:

**INTRODUCTION/PRELIMINARY STATEMENT**

1. Plaintiff brings this action for damages and declaratory and injunctive relief arising from the Defendant’s violation(s) of Sec. 1692 et. seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collection Practices Act (“FDCPA”).

**PARTIES**

2. Plaintiff is a resident of the State of NY, County of Nassau, residing at 43 Auerbach Lane, Lawrence, NY 11559.

3. Defendant is a collection firm with a principal place of business at 444 Highway 96 East Saint Paul, MN 55127, and, upon information and belief, is authorized to do business in the State of New York.

4. IC SYSTEMS is a “debt collector” as the phrase is defined and used in the FDCPA.

### **JURISDICTION AND VENUE**

5. The Court has jurisdiction over this matter pursuant to 28 USC Sec. 1331, as well as 15 USC Sec. 1692 et. seq. and 28 U.S.C. Sec. 2201. If applicable, the Court also has pendant jurisdiction over the State law claims in this action pursuant to 28 U.S.C. Sec. 1367 (a).

6. Venue is proper in this judicial district pursuant to 28 U.S.C. Sec. 1391 (b)(2).

### **FACTUAL ALLEGATIONS**

7. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “6” herein with the same force and effect as if the same were set forth at length herein.

8. Upon information and belief, on a date better known to the Defendant, the Defendant began collection activities on an alleged consumer debt from the Plaintiff (“Alleged Debt”).

9. On or about March 20, 2012, Plaintiff sent a letter to the Defendant, requesting validation of the debt.

10. Defendant failed to provide verification information requested by the Plaintiff.

11. Defendant failed to report the debt to the credit bureaus as disputed.

12. Said failure on the part of the Defendant is a violation of the FDCPA, 15 U.S.C. Sec. 1692e(8), which prohibits a debt collector from communicating false credit information, “including the failure to state that a disputed debt was disputed.”

13. As a result of the Defendant’s deceptive, misleading and/or unfair debt collection practices, the Plaintiff has been damaged.

### **FIRST CAUSE OF ACTION**

#### **(Violations of the FDCPA)**

14. Plaintiff repeats, reiterates and incorporates the allegations contained in paragraphs numbered “1” through “13” herein with the same force and effect as if the same were set forth at length herein.

15. Defendant’s debt collection efforts attempted and/or directed towards the Plaintiff violate various provisions of the FDCPA, including but not limited to 15 U.S.C. Sec. 1692e(8).

16. As a result of the Defendant’s violations of the FDCPA, the Plaintiff has been damaged and is entitled to damages in accordance with the FDCPA.

### **DEMAND FOR TRIAL BY JURY**

17. Plaintiff demands and hereby respectfully requests a trial by jury for all claims and issues this complaint to which plaintiff is or may be entitled to a jury trial.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff David Deutsch demands judgment from the Defendant I. C. Systems, Inc., as follows:

- A. For actual damages provided and pursuant to 15 U.S.C. Sec. 1692k(a)(1);
- B. For statutory damages provided and pursuant to 15 U.S.C. Sec.1692k(2)(A);
- C. For attorneys' fees and costs provided and pursuant to 15 U.S.C. Sec. 1692k(a)(3);
- D. For a declaration that the Defendant's practices violated the FDCPA; and,
- E. For any such other and further relief, as well as further costs, expenses and disbursements of this action, as this Court may deem just and proper.

Dated: New York, New York  
September 27, 2012

Respectfully submitted,

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